

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

In re

KAISER GYPSUM COMPANY, INC. and
HANSON PERMANENTE CEMENT, INC.
(f/k/a Kaiser Cement Corporation),

Debtors.

Case No. 16-03127 (RLD)

KAISER GYPSUM COMPANY, INC. and
HANSON PERMANENTE CEMENT, INC.
(f/k/a Kaiser Cement Corporation),

Plaintiffs,

v.

AIU INSURANCE COMPANY, et al.,

Defendants.

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO ANSWER
OR OTHERWISE PLEAD TO
PLAINTIFFS' COMPLAINT**

Defendants First State Insurance Company, New England Reinsurance Corporation, London & Edinburgh Insurance Company Ltd. and Twin City Fire Insurance Company (collectively, "First State") move for an extension of time to answer or otherwise plead to Plaintiffs Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.'s (collectively, "Kaiser") Complaint until December 1, 2016.

Federal Rule of Civil Procedure 6 allows the Court to extend the time for the performance of any act that may or must be done within a specified time "for good cause." Fed. R.Civ.P. 6(b)(1)(A). First State requests an extension of time by which it must answer or otherwise plead to Kaiser's Complaint through and including December 1, 2016. This motion is made in good faith and not for any improper purpose and is supported by the declaration of Katherine M. Hance

attached. This requested extension will not prejudice any party and is not made for purposes of delay. Kaiser does not oppose this motion.

WHEREFORE, First State respectfully request that this Court grant its Unopposed Motion for Extension of Time to Answer or Otherwise Plead, and enter an order in the form of the Proposed Order submitted herewith extending the time for First State to answer or otherwise plead to and including December 1, 2016.

Dated: October 27, 2016

Respectfully submitted,

/s/ Katie Smith

Katie Smith, Esquire
Damon L. Henrie, Esquire
Henrie & Smith
15455 NW Greenbrier Parkway, # 125
Beaverton, OR 97006
503-593-8548

*Attorneys for Defendants First State Insurance
Company, London & Edinburgh Insurance
Company Ltd., New England Reinsurance
Corporation and Twin City Fire Insurance
Company*

- *Of Counsel* -

SHIPMAN & GOODWIN, LLP

/s/ Katherine M. Hance

James P. Ruggeri
Katherine M. Hance
1875 K Street NW, Suite 600
Washington, DC 20006-1251
Telephone: (202) 469-7767
Facsimile: (202) 469-7751
Email: khance@goodwin.com

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

SIGNED this 27th day of October, 2016, at Beaverton, Oregon.

/s/ Katie Smith
Katie Smith, Esquire

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Case No. 16-03127-RLD

**DECLARATION OF KATHERINE
M. HANCE IN SUPPORT OF
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
ANSWER OR OTHERWISE PLEAD
TO PLAINTIFFS' COMPLAINT**

I, Katherine M. Hance, under penalty of perjury, declare pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney for defendants First State Insurance Company, London & Edinburgh Insurance Company Ltd., New England Reinsurance Corporation and Twin City Fire Insurance Company (collectively, "First State") in this adversary proceeding, filed on October 20, 2016 under 28 U.S.C. § 1452(a) and Fed. R. Bankr. Proc. 9027(a). First State did not receive notice of this action until Tuesday, October 25, 2016.

2. This office regularly represents First State in insurance coverage litigation throughout the United States and recently was retained to represent First State in this action. First State also has retained Katie L. Smith and Damon Henrie of Henrie & Smith, LLP to

represent it in this action. Because First State received notice only two days ago, First State's attorneys need additional time to prepare and file a responsive pleading.

3. First State requests that the Court extend the deadline to file its response to Kaiser's Complaint until December 1, 2016.

4. I conferred by phone and e-mail with Kaiser's counsel, Kay Brady, and she informed me that Kaiser does not oppose the requested extension.

5. This motion is made in good faith and not for any improper purpose.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 27th day of October, 2016, at Washington, DC.

/s/ Katherine M. Hance

Katherine M. Hance